

**THE STONE IN THE MIDDLE OF THE WAY:
WHERE DOES THE CONFRONTATION OF GENDER-BASED VIOLENCE IN
BAHIA STUMBLE?**

**A PEDRA NO MEIO DO CAMINHO:
ONDE O ENFRENTAMENTO À VIOLÊNCIA DE GÊNERO NA BAHIA TROPEÇA?
LA PIEDRA EN MEDIO DEL CAMINO:
¿DÓNDE TACÓ EL ENFRONTAMIENTO A LA VIOLENCIA DE GÉNERO EN BAHÍA?**

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ABSTRACT

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The high rates of violence against women in Brazil place it in fifth place in the world ranking. It is observed that, although the country has placed limits on such practices through the Maria da Penha Law (2006) and the Femicide Law (2015), which criminalized gender-based violence and made femicide a heinous crime, they indicate that the mere Criminalization is not enough to contain such practices. Despite all efforts to the contrary, an analysis focused on the State of Bahia shows that the rates of violence against women are the highest in the Northeast and continue to rise, resulting in at least one recorded daily case, between 2022 and 2023. In this context, this documentary literature review investigation, incorporated qualitative, deductive and comparative methods, to verify at what point the fight against gender-based violence in Bahia stumbles, understanding that the pure and simple criminalization of the act of violence does not characterize an efficient solution to contain a pattern that was previously rooted in the country's sociocultural scenario, making it essential to adopt actions based on reflection, debate and awareness.

RESUMO

Palavras-chave:

mulher, violência de
gênero, enfrentamento,
Brasil

Os altos índices de violência contra a mulher no Brasil o colocam em quinto lugar no ranking mundial. Observa-se que, embora o país tenha dado limites a tais práticas por meio da Lei Maria da Penha (2006) e da Lei do Femicídio (2015), que criminalizava a violência de gênero e tornava o feminicídio crime hediondo, sinalizam que a mera criminalização não é suficiente para a contenção de tais práticas. Malgrado todo em empenho em contrário, uma análise focalizada no Estado da Bahia, apontam que os índices de violência contra a mulher são os mais altos do Nordeste e seguem subindo, incorrendo em pelo menos um caso diário registrado, entre 2022 e 2023. Nesse contexto, essa investigação de revisão de literatura documental, incorporou os métodos qualitativo, dedutivo e comparativo, para verificar em que ponto o enfrentamento à violência de gênero na Bahia tropeça, compreendendo que a

criminalização pura e simples do ato de violência não caracteriza uma solução eficiente para conter um padrão até então enraizado no cenário sociocultural do país, sendo imprescindíveis a adoção de ações pautadas na reflexão, debate e conscientização.

RESUMEN

Palabras clave:

mujer, violencia de género, confrontación, Brasil, Bahía.

Los altos índices de violencia contra las mujeres en Brasil lo ubican en el quinto lugar del ranking mundial. Se observa que, si bien el país ha puesto límites a tales prácticas a través de la Ley Maria da Penha (2006) y la Ley de Femicidio (2015), que penalizaron la violencia de género y convirtieron el feminicidio en un crimen atroz, indican que la mera criminalización no es suficiente para contener tales prácticas. A pesar de todos los esfuerzos en contrario, un análisis centrado en el Estado de Bahía muestra que las tasas de violencia contra las mujeres son las más altas en el Nordeste y continúan aumentando, resultando en al menos un caso diario registrado, entre 2022 y 2023. En este contexto, esta investigación de revisión de la literatura documental, incorporó métodos cualitativos, deductivos y comparativos, para verificar en qué punto tropieza la lucha contra la violencia de género en Bahía, entendiendo que la criminalización pura y simple del acto de violencia no caracteriza una solución eficiente. Contener un patrón previamente arraigado en el escenario sociocultural del país, por lo que resulta imprescindible adoptar acciones basadas en la reflexión, el debate y la sensibilización.

Introduction

A study carried out by the United Nations Development Program (UNDP) reported that 84.5% of Brazilians have some kind of prejudice against women. Perhaps this data can explain why the number of women victims of violence is so alarming in the country ¹ (Brazil, 2023).

According to information made available by the Network of Security Observatories, through the bulletin "Elas Vivem: dados que não se calam", 2,423 cases of violence against women were recorded in 2022 alone. This means that every four hours a woman becomes a victim of violence. Of these, 495 were characterized as feminicides in Brazil (Neves, 2023).

The document presents the results of the monitoring of seven different Brazilian states, including Bahia, which recorded the highest number of femicides, taking the lead in the Northeast Region, with 91 cases and 316 crimes. This was also considered the state with the highest rate of growth in relation to gender-based violence, with at least one case occurring every day, registering a variation of 58% in relation to the last bulletin (Neves, 2023).

This data raises many questions, including the factors that influence the increase in cases of violence and femicide in the state. In response, concepts such as "toxic masculinity" have emerged, reflecting a series of misogynistic behaviors acquired culturally and perpetuated over the generations, in an attempt to reframe them. It is clear, therefore, that in addition to criminalizing violence against women, it would be necessary to promote a change in behaviour between the sexes in order to curb the pattern that has taken root in the country's social scene. In other words, a leap in consciousness.

In this sense, Brazil was chosen as a pilot country to integrate the Latin American Model Protocol for the Investigation of Violent Deaths of Women for Gender Reasons, and must adjust to adapt and implement national regulations and guidelines (UN, 2016). Notably, actions like this have been developed in Brazil since 2003, through the first National Plan for Women's Policies, in which states and municipalities took responsibility for creating departments or secretariats to deal specifically with the issue.

However, despite the progress made under the Maria da Penha Law (2006) and the Femicide Law (2015), among others, neither the country nor the state of Bahia have achieved significant results in reducing and combating violence against women, as we have seen. It is believed that criminalization is fundamental, however, the work of debate, reflection and awareness, even if it does not offer immediate results, in the long term, can be a solution.

In view of the above, this documentary literature review article incorporated the qualitative, deductive and comparative method in order to analyze the main obstacles to tackling gender violence in the state of Bahia, making it useful as a multidisciplinary study and reflection on an alarming issue that urgently needs a solution.

Masculinity and its Relationship with Gender Violence

¹ Brazil, Every four hours at least one woman is a victim of violence. Security Observatory Network, March 6, 2023. Available at: < [ELAS VIVEM: Every 4 hours a woman suffers violence \(observatorioseguranca.com.br\)](https://observatorioseguranca.com.br) >. Accessed at: october 26, 2023.

Gender relations

Historically, it can be seen that social relations, then based on male domination, were based on a constructive process where, until the 18th century, with sexual monism, both sexes considered only one genital organ, that is, the male. In this period, the male is the standard of metaphysical perfection, while the female reflects the imperfect, an underdeveloped being, differentiated by the ability to procreate, which is why her role was restricted to the private sphere (de Paula and Rocha, 2019).

Through the Enlightenment, the image of women changed from the reflection of an underdeveloped man to a subject endowed with its own characteristics, beginning the process of biological differentiation between men and women. Thus, in the 20th century, through the first feminist studies, the concept of gender emerged, which categorized male and female (de Paula and Rocha, 2019).

For Cabrera (2023, p.31), debating masculinities means debating gender, "a category that was created in the biotechnological discourse of the 1940s, when medicine sought to visually and discursively define and adapt, through hormonal and/or surgical treatments, the sex of babies born intersex," he criticizes.

However, Teles (2023) warns that, from that moment on, gender becomes a social construction, which can be considered a complex structure that encompasses the state, family and individual spheres, through sexuality. Therefore, the concept goes beyond the designation present in social roles or reproductive biology, in which both masculinity and femininity are based on concepts constructed through cultural patterns, whose structured model is subject to social surveillance.

In this sense, masculinity is a configuration of men's behavioral practices based on gender relations, in which "the performances of masculinities integrate a set of meanings and behaviors that naturally mark relationships," according to Teles (2022, p.2). Araújo and Santos (2022, p.138) clarify that "masculinity is toxic when toxic behaviors are directly related to the exercise of masculinity".

Therefore, in order to understand men's relations of violence against women from a gender perspective, it is essential to include analyses of the processes of male sociability and socialization, as well as what it actually means to be a man in society (Brasil, 2003).

In this context, toxic masculinity corresponds to "(...) the fact that men not only practice harmful and destructive actions towards themselves, others or things in the world, but also consider this to be normal and encourage, propagate, defend or maintain such practices", as Araújo and Santos (2022, p.138) put it.

By understanding this dynamic, we consider that:

It is through the training of bodies that the fundamental dispositions are imposed, those that make them both inclined and able to enter the social games most favorable to the development of virility: politics, business, science and the social libido. This social training begins in childhood and continues throughout life, precisely because it is incorporated into the culture.

(Teles, 2023, p.2)

Circumstantially, the categorization between male and female genders has brought about considerable social changes. However, instead of generating equal rights, as supposed, it not only substantiated the inequalities imposed, but also legitimized the process of supposed male superiority, marking the beginning of polarized constructions between men and women (de Paula and Rocha, 2019).

It should be noted that gender codes are internalized as being natural, "(...) because of this, the naturalization of this categorization becomes an accumulative process, multiplying and subverting socially constructed patterns, warns Teles (2023, p.4).

Returning to the course of history, according to Cabrera (2023), through the intervention of the feminist movement, which began to claim its place in society and question the male gender, the destabilization of a system hitherto considered stable began. Franco (2018) points out that since the 1970s, social struggles and feminist movements have gained greater visibility through the denaturalization of violence against women.

At this time, according to Magalhães (2023), the process of women's participation in politics began to portray a reality of deficiency, stemming from a socially constructed context that was undergoing changes by highlighting different forms of exclusion. However, at the end of the same decade in Brazil, thanks to the forces of the same feminist movement, women took on a more active political and social role, and with women's participation in the 1988 Constitution, the formal achievement of equal rights for men and women in Brazil was recognized.

From this process, the fight for proclaimed gender equality began, broadening the discussion within the political arena. This movement put women's rights on the political agenda, especially with regard to holding public authorities accountable for implementing public policies aimed at guaranteeing rights and improving the lives of this clientele, which included putting an end to the differences between the economic and social roles of men and women (Araújo and Santos, 2022); (Franco, 2018).

However, the lack of equality is still present and is the subject of much discussion. Teles (2023, p.4) warns that: "Inequalities are sources of conflict, which is why it is necessary to question how this fact is established and naturalizes gender asymmetries, supporting male hegemony. The idea of hierarchy is one of the roots of domestic violence." On this basis, understanding this context is essential.

When Masculinity is Toxic, it Becomes Violence

Notably, the concept of masculinity has gradually been reconstructed. New issues have come to be accepted and demanded of this new man, such as participatory fatherhood, the affective and sexual satisfaction of his partner, greater care for his health and self-image, among other previously silenced demands (de Paula and Rocha, 2019).

However, in view of the high rates of femicide, it is clear that many men have not let go of their crystallized personalities, and do not want to give up or lose their former space of dominance, making them feel threatened. For these individuals, the solution to this conflict is the same one they are often taught as children, which is violence (de Paula and Rocha, 2019, p.85).

In this sense, both Teles (2023) and de Paula and Rocha (2019) point to the fact that, to this day, most men still seem to maintain symptoms of a toxic masculinity, which restricts them and prevents them from abandoning old behaviors in order to resignify them.

According to the Program for the Prevention, Assistance and Combat of Violence Against Women, included in the National Plan, promoted in 2003, studies show a significant number of women who claim to have been victims of physical violence by their partner throughout Latin America, where in some countries the percentage of women reached 50% by the year 2000.

According to the document, "in Brazil in particular, an estimated 300,000 women report being physically assaulted by their husbands or partners each year. More than half

of all women murdered in Brazil were killed by their intimate partners" (Brasil, 2003, p.21).

However, studies carried out on men show a no less disturbing scenario:

In Rio de Janeiro, a survey published in 2003, in which 749 men aged between 15 and 60 were interviewed, highlighted that 25.4% said they had used physical violence against their partner, 17.2% said they had used sexual violence and 38.8% said they had insulted, humiliated or threatened their partner at least once (Acosta and Barker, 2003 apud Brasil, 2003, p.21).

To support this dynamic in a more current context, we highlight a study carried out by Magrin (2022). Through a study that analyzed the male perspective on aggression, the researcher conducted remote, semi-structured interviews with 13 men over the age of 18, in which the participants drew on their own experiences, including the development of aggressive behavior. The main risk factors for domestic violence were the behavior of the victims, the patriarchal and macho culture, and toxic masculinities. The results show that the women were considered as much victims as perpetrators of the aggression they suffered.

Magrin (2022) lists the main speeches of these men as: 1) main characteristics (low schooling, financial instability, unemployment, insecurity, jealousy, low self-esteem etc.); 2) minimization and denial of the violence (the aggressor tends to minimize the aggression or not recognize it); 3) family history (male aggressors were victims of the parent as children); 4) social roles and toxic masculinity (fear of losing identity and social prominence to the partner); 5) substance use (as a justification for violent acts); 6) blaming the woman for the aggression (due to provocation, interest or emotional maladjustment); and 7) impunity (women tend to withdraw the complaint after threats from their partners; slowness of Brazilian justice) (Magrin, 2022) ².

According to Cabrera (2023) and Araújo and Santos (2022), toxic behavior can be harmful not only to women, who are the main victims of aggression, but it also compromises the balance of the entire social structure, since it imposes a series of harmful norms and behaviors, including on men.

In light of the above, Cabrera (2023, p.11) points out that:

Men's lives are coordinated by these patterns even before they are born. During their childhood, education is often based on the idea that boys don't cry and that if they go home without fighting back, they will be beaten at home too, so that they learn to be strong and defend themselves. In other words, there is a set of prescriptions that end up taking part in the subjective construction of men and which cause countless consequences in their adult lives.

However, even though men also act as victims, they are the main aggressors. Especially in societies like Brazil, which is sexist, racist, patriarchal, ageist, androcentric, classist, trans/phobic, in which women are blamed for the aggressions they suffer, whether physical or psychological, from men with whom they have or have not had emotional ties, according to Franco (2018).

Notably, women have been immersed in a discriminatory social order, in which they have been forced through female subordination, to a lesser or greater degree of

² This data points to the importance of understanding the phenomenon from other perspectives, and we agree with the author when she states that: "It is important to involve men in the debate on the issue, as this type of initiative can help prevent the phenomenon from occurring" (Magrin, 2022, p.8).

subjection, to live in spaces of oppression, whether in the public or private sphere. "However, the incidence of violence in the sphere of conjugality is more recurrent," concludes Franco (2018, p.44).

Right in the space where there should be greater security. It should be noted that most incidents of domestic violence consist of a process of abuse that tends to go on for years and, in general, recurs and gets worse as time goes by.

This dynamic of violence can be seen in the news on an almost daily basis, such as the one below, from 2022, which states:

"Teacher arrested for attempted femicide after setting fire to ex's house in Acre". The subtitle of this news story reports that he had been denounced in 2018, when he was seen assaulting the same woman with a helmet. She didn't die in the arson, because she wasn't at home, but she lost her possessions and gained trauma (Teles, 2023, p.1).

In order to minimize these recurring practices and the high rates of violence, Law No. 11.340/2006, known as the Maria da Penha Law, provides for actions that are not only punitive against perpetrators of domestic violence, but also preventive, offering them assistance, which includes processes to re-educate the masculinities that generated the problem. However, what we see in practice is an approach based on punishment (de Paula and Rocha, 2019, p.83).

The law provided for the creation of Specialized Women's Care Centres, which "(...) are spaces for psychological or social care, guidance and legal referral to women in situations of violence, helping to strengthen and rescue their citizenship". Likewise, other facilities such as Shelters, Temporary Shelters, Specialized Women's Police Stations (DEAMs), Women's Service Centers or Stations in Common Police Stations, Specialized Prosecutors' Offices, the Brazilian Women's House, the General Health Service and Health Services aimed at dealing with cases of sexual and domestic violence (COSTA, 2021, p.24), which play a fundamentally important role in tackling violence against women.

In that respect,

The network for combating violence against women is defined as an articulated action between governmental and non-governmental institutions and the community, aimed at effective prevention strategies and policies that guarantee women's empowerment and their rights. The care network is defined as a set of actions and services from different sectors (social assistance, justice, public security and health), which aim to provide comprehensive and humanized care (COSTA, 2021, p.25).

This analysis can be admitted as true when considering Law No. 13.104/2015, or the Femicide Law, which provides for the criminalization of the death of women involving domestic and family violence, discrimination or disregard for the victim's status as a woman, making this a qualified homicide, classified as a heinous crime, whose penalties can vary between 12 and 30 years in prison (Magalhães, 2022); (Teles, 2023).

However, it's important to consider that toxic patterns are deeply rooted in Brazilian culture and, consequently, in Brazilian society, and it's not enough to just change the legal aspects of this in order to bring about real change. Thus, gender violence can result not only from the imposition of male power, but also from the consequences that the seizure of this power has reflected and still reflects socially, analyzes Magalhães (2022).

Thus, even years after these laws came into effect, there has been no real reduction in the number of femicides or violence committed against women, which once again shows that criminalization is important, but raising awareness is fundamental. According to Araújo and Santos (2022, p.137), "it is important to emphasize that both men and women can identify with a type of masculinity".

Studies such as those by Cabrera (2023), Franco (2018), Lopes (2022), Teles (2023), as well as other authors cited in this brief analysis, determine the crisis of masculinity, as it is known, in that:

The market and advertising have also discussed toxic masculinity. Advertising is certainly always attentive to social phenomena, as it looks for new trends and market opportunities. In this sense, observing the ongoing changes that are continually transforming masculine ideals, their place in social relations and their contemporary ways of being and expressing themselves, brands are in a continuous process of repositioning expressed through advertising discourse aligned with feminist issues (Cabrera, 2023, p.11).

In this context, the current discussion on the subject expresses substantial changes in relation to social acceptance of the abusive and arbitrary male power in force, objecting to its hegemony within the established gender system

As can be seen throughout this discourse, it is thanks to this evolutionary leap in consciousness that behaviors previously accepted as standard have come to require adjustments, and new concepts have emerged as a way of elucidating, reflecting on and debating the problem, as we intend to analyze.

Scenarios of Violence

In Brazil, gender equality came late, through the 1988 Constitution. It was only then that equal rights for men and women were recognized (Oliveira, 2013). This milestone opened the way for a series of achievements.

However, the data does not allow us to ignore the fact that violence against women over time has conflagrated a problem of vast magnitude that is reflected today, especially with regard to domestic violence (Magalhães, 2022).

According to the definitions established by the United Nations on violence against women and summarized by Balbinott (2018, p.240), conceptually,

Gender-based violence is an expression used to refer to the various acts practiced against women as a way of subjecting them to physical, sexual and psychological suffering, including various forms of threats. It is characterized, in particular, by the imposition or pretension of subordination and control of the male gender over the female.

It should be noted that population studies carried out in various countries show that, since the mid-1980s, the prevalence of acts of violence against women has come from their intimate partners, i.e. husbands, partners and boyfriends, followed by family members, says Magalhães (2022).

The culmination of violence against women is death. This act is called femicide, i.e. a crime committed because of gender. In this sense, the number of deaths recorded as a result of gender conflicts in which women are the victims shows that the crimes are

generally committed by men, as well as situations of abuse in the domestic environment, threats or intimidation, sexual violence, among others. These acts are carried out, in particular, by current or former partners (Magalhães, 2023).

Therefore, it would be correct to say, as Garcia et. al. agree. Al (2016), that intimate partners are primarily responsible for the murder of women. According to the author, 40% of all femicides worldwide are committed by an intimate partner.

On the other hand, there has been a 6% reduction in the number of men murdered by their partners. This means that the number of women murdered by their partners is statistically 6.6 times higher than the proportion of men murdered by their wives and partners (Garcia, 2016).

In this conflictive context, over a ten-year period in Brazil, between 2001 and 2011, it is estimated that there were 50,000 femicides, equivalent to around 5,000 deaths a year, when compared to the total Brazilian population during this period. Data indicates that the majority of these deaths were the result of domestic and family violence, since one third of these cases occurred in the victim's home (Garcia et al. Al, 2016).

And those numbers are rising. According to Costa (2021, p.11),

In 2015, Brazil enacted Law 13.104/15, the Femicide Law, which amended the Brazilian Penal Code, making the penalties for the crime of femicide more severe. However, data from the Public Security Forum (2019) shows that since 2016, the year after the femicide law was implemented, the number of murders of women has risen, from 929 in 2016 to 1,326 in 2019.

In Brazil, the Bulletin *Elas Vivem*, published in 2023, warns and informs that:

Femicide is a crime with a signature. Most of these cases happen where it's actually supposed to be safe and where people can be trusted: in the family. *Elas Vivem* found that 75% of violence is perpetrated by partners or ex-partners. In many cases, these aggressors don't just target their partners, but also their children and other relatives, and then try to take their own lives (Neves, 2023).

In this sense, we agree with Borges and Lucchesi (2015, p.218), when they infer that: "(...) gender-based aggression is a complex phenomenon and will certainly not be prevented by measures designed within the masculine order that organizes our social structures."

Brazil has sought to remedy the problem of violence against women by severely punishing and criminalizing the male aggressor, with the victimized woman in the background, whose abuse seeks to be minimized "(...) through paternalistic state policies to assist the victim; that is, male solutions have been sought for a problem created precisely by male domination" (2015, p.218).

Measures to combat violence against women in Brazil

Violence is one of the most serious problems in the world today, and is one of the main causes of death for people between the ages of 15 and 44. In this sense, it is clear that the abuse of power or the intentional use of physical force, whether against a person or a group, has disastrous consequences and impacts. However, it should be emphasized that violence has different perspectives for men and women: the former suffer violence in external spaces, usually perpetrated by another man; the latter are subjected to male

violence in private and domestic spaces, with their partner as the aggressor (Brasil, 2003, p.9) ³

In order to inhibit domestic violence against women, the Brazilian legal system has not only created laws aimed at punishing crimes against women, but has also established measures to protect and assist these victims, including the provision of a multidisciplinary team. However, we can see that actions are being taken to raise awareness and protect this clientele, without taking into account the fact that the aggressor is the same person who gives rise to the problem, contributing to an even greater increase in cases of violence, according to Oliveira, (2020) ⁴.

Brazil's Federal Constitution gives terms to domestic violence in its 8th paragraph, art. 226, which states that: "The state will ensure assistance to the family, in the person of each of its members, creating mechanisms to curb violence in relationships" (Brazil, 2003, p.9).

In 2003, the National Policy to Combat Violence against Women was published, which is ultimately responsible for establishing guidelines, concepts, principles and actions aimed at combating and preventing gender-based violence, as well as providing assistance and guarantees to this clientele, under the terms dictated by international human rights and national standards (Oliveira, 2020, p. 11).

That same year, through Law No. 10.778, compulsory notification of violence against women was created, which notifies domestic and sexual violence, among others. Implemented through the Notifiable Diseases Information System (SINAN), under the Ministry of Health (Costa, 2021).

This notification has the intrinsic objective of prevention, assistance and guaranteeing rights, where Costa (2021, p.23) states that,

According to the National Policy for Women (2011), the Ministry of Social Security has signed an agreement with the Secretariat for Women's Policies to file regressive actions in cases of pensions caused by domestic violence. With this, the aggressor is held accountable and the state is not left with the costs of the violence. It is yet another acknowledgement by the state of the extent to which domestic violence makes it impossible for women to be autonomous. It is also yet another way of penalizing and holding the aggressor responsible for the damage caused to women and the state, which in many cases, when it doesn't cause the victim's death, leaves them with physical and mental sequelae for life.

An analysis of the legal provisions of Law No. 11.340/2006, or the Maria da Penha Law, shows that they deal with the prevention of gender violence, either by trying to prevent the crime or by seeking instruments to prevent recurrence. In this sense, "whenever the legal norm raises this type of concern, it is characterized as criminal policy," says Oliveira (2020, p. 9).

Furthermore, the Maria da Penha Law provided for the creation of courts with multidisciplinary service teams, duly integrated by qualified and specialized

³ Brazil (2003). Presidency of the Republic. Special Secretariat for Women's Policies. Ministry of Health, Brasília; s.n; 2003. 66 p. ;illus. Available at: < [Brasil. Presidência da República. Secretaria Especial de Políticas para as Mulheres](#) >. Accessed at: nov 03, 2023.

⁴ Oliveira, J.C.R.D. (2020). Preventive Public Policies: the re-education of men who commit acts that offend the integrity of women according to the Maria da Penha Law. FACNOPAR Course Conclusion Paper. Apucarana, 2020. Available at: < [89b2e0553db5a034e17e3d54ca30bb5e.pdf \(facnoper.com.br\)](#) >. Accessed at: november 03, 2023.

professionals. According to Costa (2021, p.25): "Specialized Prosecutor's Offices - the Specialized Prosecutor's Office prosecutes crimes of violence against women. It also acts to supervise the services of the care network" (Costa, 2021, p.23).

In 2009, Law No. 10.778/09 on compulsory notification of violence against women was enacted by the three different spheres of government, and it can be said that progress has been made. At this time, the reference centers and women's defense offices were created, as well as the care and assistance networks for women in situations of violence (Costa, 2021).

In this sense, Costa (2021) considers that these policies have been positive, "(...) in terms of bringing women closer to their rights and the protection of justice, boosting the empowerment and autonomy of women in situations of violence practiced by their spouse in the domestic sphere" (Costa, 2021, p.23).

According to the National Policy to Combat Violence Against Women, the policy's priorities and actions revolve around expanding and improving the assistance network with regard to the care and health of women in situations of violence, promoting and guaranteeing rights to combat violence, prevention through the production, systematization and reporting of data on violence through compulsory notification, for example (Costa, 2021, p.23).

As a way of reinforcing this, Law 12.845/13 (The Next Minute Law) promoted guarantees that are not limited to the diagnosis and emergency treatment of injuries caused by the aggressor. Victims should have access to comprehensive care that includes medical, psychological and social support, the administration of medication against pregnancy and sexually transmitted diseases, the collection of material for HIV testing, the facilitation of reporting the incident and the provision of guidance on their legal rights and available health services (Costa, 2021, p.24).

From the same perspective, N^o 13.104, also known as the Femicide Law, was enacted in 2015. The intrinsic principle of this legal provision is to classify homicides committed against women in Brazil as heinous (Oliveira, 2020, p. 10), which is important to consider:

The law was created on the advice of the Joint Parliamentary Commission of Inquiry into Violence Against Women. The UN called on states to expand national legislation so that they could penalize the perpetrators of murders and violent acts against women. Violence against women is considered to be any type of act, action or omission, based on gender, that can cause death, physical or psychological suffering to women, whether it occurs in the public or private sphere (Oliveira, 2020, p. 10).

The phenomenon of gender-based violence affects women of all societies, ages, social classes, educational levels, sexual orientation, races and ethnicities. In this context, it is a problem linked to power, in which, on the one hand, there is the domination of men over women and, on the other, the dominant ideology that supports it. It should be noted that regardless of the type of violence practiced against women, all of them are based on the inequalities that prevail in societies and all of them harm women's citizenship and represent a violation of human rights (Brazil, 2003, p.9).

It should be noted that a large number of aggressors are part of the intimate circles of women in situations of violence, with black and brown women, among the youngest, accounting for a higher percentage than white women. According to data provided by the

Atlas of Violence, Oliveira (2020) explains that many of these women remain silent because they don't feel safe enough to assert their rights.

According to the author, "This can happen for two reasons: 1) fear that the complaint won't succeed, and that the aggressor won't pay for the act he committed; 2) they don't want to talk about it so as not to relive what happened" (Oliveira, 2020, p. 13).

In order to curb the high numbers registered in the country, Brazil has become a signatory to several international agreements related to gender violence, with the aim of reducing the high rates of violence throughout the country, which includes the state of Bahia, the basis for the analysis in the following chapter.

Gender Violence in Bahia

Salvador is the current capital of the state of Bahia and, historically, it was also the first capital of the Portuguese colony in Brazil. According to the IBGE (Brazilian Institute of Geography and Statistics)⁵, Bahia has an area of almost 565,000 km², making it the largest state in the Northeast in terms of land area and the fifth largest in Brazil. Data from the 2022 census indicates that the population of Bahia totals 14,136,417, of which 7,317,534 are women and 6,508,424 are men (IBGE, 2023).

However, although the number of women exceeds that of men in the state, the data on violence against women is alarming and places it at the top of the ranking, not only as the largest, but also as the most violent in the Brazilian Northeast.

Cases are constantly being reported, as can be seen in the example of an article in the newspaper G1 Bahia, published in 2021, which reports that 29 cases of violence have been recorded in Bahia, including rape, although it warns that "(...) the number of victims may be much higher, as many find it difficult to report, due to shame and fear that family members will know what happened and due to the slowness of the justice system in prosecuting and convicting aggressors". The article goes on to say that this evidence does not only expose victims to the crime they have suffered, but also to the consequences of this stigma imposed on society (SOUZA, 2021).

In an interview, Costa (2021) reports that:

The SPM-BA employee reported that the biggest difficulty in drawing up public policies for women in Bahia is the lack of sufficient financial resources, both to hire more people, since today the secretariat has only 10 technicians who do virtual and face-to-face work in the coordination of the fight against violence. He warns that the amount of manpower is insufficient, taking into account that Bahia has 417 municipalities for the number of 10 employees who need to fulfill the agenda in all the municipalities (Costa, 2021, p.37).

Data from the Security Observatory Network from 2021, placed the state of Bahia in 3rd place in cases of femicide in the Brazilian ranking. Between 2017 and 2020, the number of femicides in the state rose from 74 in 2017 to 113 in 2020 (BAHIA, 2021 apud Costa, 2021, p.27).

⁵ IBGE, Brazilian Institute of Geography and Statistics. Population Projection, Bahia, 2023. Available at: <[IBGE | Cidades@ | Bahia | Pesquisa | Projeção da população | População projetada | 2022](#)>. Accessed at: october 20, 2023.

Costa (2021, p.27) warns that the lockdown, a result of the security measures adopted during the COVID-19 pandemic, caused the number of victims to increase by 150% in cases of femicide in May 2020 alone. In this scenario, "according to data from the Violence Monitor (2020), there were 57 femicides in the first half of 2020, and 48 in the same period of 2019."

However, the evidence shows that the pandemic does not justify the increase in cases in the state, since, in 2022, Bahia remained in the position of the national ranking, being the state in the Northeast with the highest number of femicides, registering 91 cases, about one per day, points out the bulletin *Elas Vivem: dados que não se calam* (SPM, 2023).

According to Costa (2021, p.38):

(...) Bahia has only 15 DEAMs and they are distributed in 14 cities, and the state has 417 municipalities. These figures demonstrate a deficiency in Bahia's network for dealing with violence. The importance of the network is ratified in the National Policy to Combat Violence Against Women (BRASIL, 2011). The policy's priorities and actions revolve around the expansion and improvement of the assistance network with regard to the care and health of women in situations of violence, the promotion and guarantee of rights to combat violence, and prevention.

Larissa Neves, a researcher at the Security Observatories Network, warned in an interview about the need for greater judicial protection for women victims of violence in the state, since many cases are underreported, which is an aggravating factor (SPM, 2023).

In an analysis of women seen at *Delegacias Especializadas de Atendimento à Mulher* (Deam's) it can be seen that:

"Most of these women (victims of violence) can't even report it. We are facing a problem that is social and requires the commitment of society as a whole, especially public management. The increase in registration in the general data (of all the states analyzed by the network), grew 8% from 2020 to 2021, and 8.61% from 2021 to 2022" (SPM, 2023).

It should be noted that, although the data is discouraging, progress has been made in recent years with the creation of laws, public policies and other measures to curb gender-based violence, such as the Specialized Women's Police Stations (Deam's) that have been set up across the country.

However, situations like this are a frequent occurrence:

In Bahia, we have 15 specialized police stations (Deam) throughout the territory - these units are responsible for developing actions that protect victims from potential aggression. And the situation is still challenging because none of the state's Deams are open 24 hours a day. All of them are open only during business hours. Two of them are in Salvador - Paripe and Brotas - and are the only ones in the state with extended service, one of the stipulations of the new Federal Law No. 14.541, which determines the creation and uninterrupted operation of Specialized Women's Police Stations. The others are spread across 13 other municipalities. Despite this progress, the Deams cover only 3.5% of Bahia's territory, given that it has 417 municipalities (Neves, 2023).

This data reinforces the assertion that most of these tools are deficient, making up an apparatus that punishes the consequence of the act, without seeking to resolve the

cause. In this sense, it is believed that the pure and simple criminalization of violence against women is not enough to solve the problem, although it works as a palliative measure capable of containing an even greater growth in numbers in the short term.

However, actions that stimulate debate, reflection and awareness, although they require a greater investment of time, can be more efficient in the long term by helping to re-signify mistaken socio-cultural scenarios, cooperating in the development of a more equitable and fair society, as suggested by most of the authors in this study.

Conclusion

Gender-based violence in Brazil has reached alarming levels and studies show that many Brazilians carry some form of prejudice against women, as demonstrated throughout this analysis.

It was noted that the state of Bahia leads the Northeast in cases of violence against women, listing the highest number of femicides between 2022 and 2023, and is also the state with the highest rate of growth in relation to gender violence, with at least one case recorded every day (Neves, 2023).

The question therefore arose in this investigation: where does the fight against gender violence in Bahia stumble? In response, it was understood that the pure and simple criminalization of the act of violence is not an efficient solution.

In this sense, this study sought to reflect on the context of violence expressed in this scenario, trying to analyze the factors that influence the increase in cases of violence and femicides in the state, in order to understand the main obstacles to reducing this situation.

Thus, new concepts emerge as answers to the emerging search for a new meaning for misogynistic behaviors acquired culturally and perpetuated over generations.

It has therefore become clear that the criminalization of violence against women under the Maria da Penha Law and subsequent laws may not achieve the desired results if, together, actions are not taken to promote a real change in behaviour in relationships between the sexes, with a view to curbing the pattern that has been ingrained in the country's social scene until now, and consequently in the state of Bahia. In other words: measures capable of enabling a leap in consciousness.

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The stone in the middle of the road: where does the fight against gender violence in Bahia stumble?